



State of New Jersey

Department of Environmental Protection

Richard J. Codey
Acting Governor

Bradley M. Campbell
Commissioner

December 19, 2005

Johnny Jones, Deputy Director
Department of Economic Development & Housing
Newark City Hall
290 Broad Street
Newark, NJ 07102

Dear Mr. Jones,

RE: Bayonne Barrel and Drum
City of Newark, Essex County

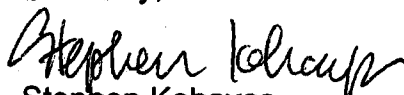
During the November 29, 2005 meeting between the United States Environmental Protection Agency, the potential developers of the Bayonne Barrel and Drum site, Michael Ramos, et al., and me, concern was raised with the anticipated municipal requirement to install subsurface storm water control measures. Reportedly, the City of Newark requires development projects to store storm water in subsurface storage systems.

Attached is a November 30, 2005 letter from Joseph Cosentino, On Scene Coordinator for US EPA, expressing his preference for storm water to be handled in an above ground impoundment or basin, as opposed to a subsurface storm water system. I share this preference.

The soil that will remain controlled on-site is contaminated with dioxins and polychlorinated biphenyls (PCB), among other contaminants. Operating and maintaining a storm water management system within this matrix is complicated by the contamination. In addition, should there be a failure of the system, uncontrolled contaminant migration may occur.

I welcome the opportunity to meet and discuss this issue further. Please contact me at (609) 777-0649, or at Stephen.Kehayes@dep.state.nj.us should any questions or concerns arise with the contents of this letter.

Sincerely,


Stephen Kehayes
Office of Brownfield Reuse

C: James Kealy, NJ DEP, BEERA
David Kaplan, NJ DEP, BGWPA
Joseph Cosentino, US EPA, Removal Action Branch, On-Scene Coordinator

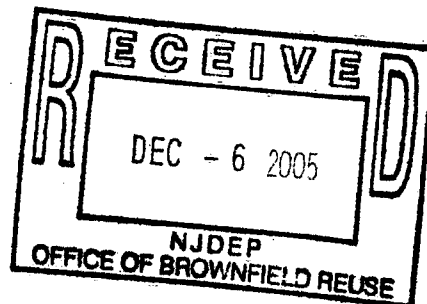
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837-3679



November 30, 2005

Stephen Kehayes
Office of Brownsfield Reuse
New Jersey Department of Environmental Protection
P.O. Box 028
401 East State Street, 6th Floor
Trenton, New Jersey 08625-0028

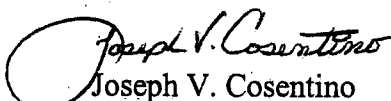
Steve,

As per our recent meeting on November 29, 2005, and subsequent discussions concerning the implementation of storm water control measures as part of the remediation of the Bayonne Barrel and Drum site. It would be my preference that storm water be handled in an above ground impoundment or basin, as opposed to below ground surface. This preference is based upon the following:

1. Surface basin storage would minimize the disruption, handling and possible disposal of grossly contaminated soils (which can be costly).
2. The contaminated conditions at the site, and the presence of gas lines, would severely limit the ability to locate any underground storm water storage tanks, which would potentially impact site redevelopment as well as the site cleanup.
3. The elevated groundwater table at the site could require location of the storm water tanks in the groundwater table and the possible evacuation and disposal of significant volumes of contaminated groundwater.

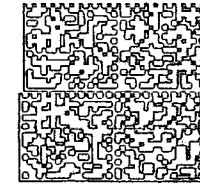
Should you wish to discuss this further or have any questions do not hesitate to call me at (732) 906-6983 or E-mail me at Cosentino.Joseph@epa.mail.gov.

Sincerely,


Joseph V. Cosentino
On Scene Coordinator

cc: S. Flanagan, ORC

State of New Jersey
Department of Environmental Protection
Site Remediation Program
PO Box 028
Trenton, NJ 08625-0028



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Mailed From 08608
US POSTAGE

Joseph Cosentino
USEPA: Removal Action Branch
Building 209, MS-211
2890 Woodbridge Avenue
Edison, New Jersey 08837

08637X3602 C795

